

N A R R A T I V E   S T A T E M E N T  
44<sup>th</sup> Street / 8<sup>th</sup> Avenue – A Planned Unit Development  
12/18/2014  
Revised 1/9/15

**Project History:** In 2006 DeVries Properties, Inc. received preliminary PUD approval for a parcel of land located at the southwest corner of the intersection of 44<sup>th</sup> Street and 8<sup>th</sup> Avenue. Since no construction has commenced, the preliminary PUD approval has lapsed, although the underlying zoning remains as a PUD.

**Project Overview:** DeVries Properties desires to have the preliminary PUD approvals reinstated for this property. Along with the overall site approval, a final PUD approval of a portion of the site is being requested on behalf of the end user, Dr. Erik Lee. This request is for a mixed-use development of office, retail, restaurant, and residential which is consistent with the Township's current master plan designation for the site, Neighborhood Service Commercial (NS). Design standards used during the development of this plan are based on the township's requirements for Neighborhood Service Commercial zoning.

**PUD Intent:** The proposed PUD would provide for flexibility in the regulation of land development and allow for the proposed innovation in land use design, layout, and structures. The PUD would allow us to achieve economy and efficiency in the use of land, provision of public services and utilities, and allow for preservation of useful open space. This proposed PUD will provide enhanced landscape features, open space plazas, and architectural styles not commonly associated with commercial developments. If approved by the township, this planned development would provide unique living, working, and shopping environments in a first class village-like setting. Development of this property under conventional zoning regulations would not allow for the interrelationship of uses, variety of spaces, nor the flexibility to accomplish the objectives listed above.

**Acreage Requirement:** Although the parcel of land is less than the normal twenty acres required for a PUD containing a mixture of residential and non-residential uses, the proposed residential component is minor (only twenty apartments) and the proposed PUD substantially provides for the intent of a PUD as stated in the ordinance. Therefore, we respectfully ask the Planning Commission and Township Board consider acceptance of the lesser acreage.

**Utilities:** This proposed PUD will be served by public water and sanitary sewer facilities. Storm water will be collected and managed as required by the Ottawa County Drain Commission utilizing on-site detention as well as the existing storm water management ponds adjacent to the subject parcel. Final engineering of all utilities will be provided and all required permits will be obtained prior to construction.

**Land Ownership:** The 2 parcels of land included in this PUD are both owned by entities of which Ed DeVries has legal interest in.

**Pedestrian Access:** The proposed PUD provides safe, integrated, and abundant pedestrian access and movement within the PUD and to adjacent properties. In addition, the PUD proposes a continuous sidewalk along 8<sup>th</sup> Avenue.

**Architecture:** The PUD proposes uniquely innovative architectural styles and coordinated building relationships. Buildings will have visually appealing residential character with pitched roofs, awnings, and lower scale profiles.

**Signage:** One proposed ground monument sign will be located at the corner of 44<sup>th</sup> Street and 8<sup>th</sup> Avenue and one proposed sign at each proposed entrance. Locations of these sign sizes are indicated on the PUD Plan. Final details of these signs will be submitted prior to placement. These signs will be consistent and complement the architectural theme of the overall PUD. Proposed wall signs will comply with the current township standards. Waivers for sign placement, size and height, are being requested and are summarized at the end of this narrative.

**Traffic:** The proposed PUD provides safe and efficient vehicular movements into, within, and off of the PUD site. For ingress-egress, one full access curb-cut is proposed along 44<sup>th</sup> Street and one limited right-in, right-out curb-cut is proposed along 8<sup>th</sup> Avenue. In addition, the PUD integrates traffic calming techniques within the site such as landscaped parking lot islands, focal points, and pedestrian crosswalks. This further enhances vehicular/pedestrian safety and parking lot aesthetics. Preliminary plans have been submitted to and reviewed with the Ottawa County Road Commission with approvals anticipated prior to construction.

**Open Space:** The proposed PUD development contains 84,481 sq. ft. (20.2%) of usable open space as defined by the township ordinance and as approved in the 2006 PUD. The PUD clearly and substantially provides for the intent of a PUD as stated in the ordinance. Consistent with the PUD plan approved in 2006, any green space beyond 10' wide along the west boundary is included in the open space calculation. This PUD proposes lush landscaping that will be irrigated, and skillfully maintained during all seasons. Streetscapes along 8<sup>th</sup> Avenue and 44<sup>th</sup> Street will include gently rolling earth berms that are landscaped to help screen parking areas. In addition, pedestrian areas around buildings will include landscaping appropriate for continuous design in keeping with surrounding properties. Please refer the phasing/open space plan in the upper right hand corner of the plans for exact limits of the open space areas.

**PUD Phases:** The applicant intends to phase this project based on market demand. Phase 1 will consist of the proposed dental office site located at the NW corner of the development.

**Deed Restrictions:** None anticipated.

WAIVER REQUEST FROM PREVIOUS UNDERLYING NS ZONING – following are applicant's specific requests for waivers for the proposed PUD:

1. PUD Acreage – the PUD proposal includes a mixture of residential and non-residential uses that would normally require a 20 acre parcel. However, our residential component includes only 20 dwelling units which are located on a second level above a proposed retail center making it a minor component of the PUD. This residential area serves as a transitional land-use from the Eagle Nest Apartments to the proposed retail and restaurant uses. Based on the township ordinance, removing the residential component from the proposed PUD would reduce the required parcel size from 20 to 10 acres.
2. Building Setback – the dental office site proposed at the northwest corner of the development indicates a side yard setback of 20' (25' required) and a rear yard setback of 35' (50' required). The reduction of 5' for the side yard setback is justified for the following reasons.
  - A large buffer already exists (200' of golf course) between the west boundary and the condominiums.
  - The previously approved PUD site plan showed parking along the west line with a 2 story building. The proposed building is one story. This provides for less impact (no traffic or lighting).The reduction of the rear yard setback is justified as the proposed rear property line is internal. The south side of the building is in excess of 50' from the boundary of the overall PUD.  
The setbacks from the north and east property lines of the adjacent apartment development to the proposed garages of the "L" shaped mixed use buildings vary from 43' to 47' (25' side yard, 50' rear yard required), matching the previously approved 2006 PUD Plan.
3. Parking and Drive Setbacks – the PUD proposes an average setback of 25 feet along the westerly property line adjacent to the golf course and a continuous 25 feet along the southern property line. Along both boundaries, the PUD provides an irrigated greenbelt landscaped with evergreen trees on a rolling earth berm. Careful planning and design was considered with the proposed PUD assuring a reasonable and sensitive buffer zone adjacent to the existing carports. The setback from the drive behind proposed buildings "C" and "D" to the property line adjacent to the existing carports and parking ranges from 10 to 20 feet (25' required per NS regulations). This is consistent with the 2006 approved PUD plan.
4. Parking Setback Along 8<sup>th</sup> Avenue and 44<sup>th</sup> Street – the PUD proposes a setback of 80 feet (a reduction of 10 feet) for approximately north 430 feet of frontage along 8<sup>th</sup> Avenue and 70' of frontage along 44<sup>th</sup>. To offset this reduction, the PUD proposes a manicured and lush landscape on a gently rolling earth berm, complete with a meandering sidewalk along the right-of-way. To further offset this reduction, the average setback along 44<sup>th</sup> Street and 8<sup>th</sup> Avenue is greater than the required 90 foot setback.

5. Landscaping Along 44<sup>th</sup> Street and 8<sup>th</sup> Avenue – the PUD proposes the use of the Streetscape standard along 44<sup>th</sup> Street and 8<sup>th</sup> Avenue instead of the Greenbelt standard. The proposed Streetscape is requested due to the need for visibility of the commercial development along 44<sup>th</sup> Street and 8<sup>th</sup> Avenue. Using the Greenbelt standard along these major roads would create a solid screen of evergreen trees and effectively eliminate visibility and hinder the success of the commercial development. To further offset this request, the average combined setback along 44<sup>th</sup> Street and 8<sup>th</sup> Avenue is greater than the required 90 foot setback. In addition, our proposed Streetscape standard includes a rolling earth berm, irrigated and manicured lawn and abundant trees to produce an aesthetically pleasing front yard landscape appropriate for this commercial development.
6. Greenbelt - For the final PUD plan (Dr. Lee) a waiver for the required Greenbelt standards (Section 3.11) is required to replace the 12 evergreens required with 6 evergreens and 6 non-evergreen (Red Sunset Maple, Sugar Maple and Autumn Serviceberry) as shown on the landscape plan. The proposed office building is a one-story building fitting in well with the HDR residential use. The proposed building is also well over 200' from the existing condominiums to the west. In addition, the view of the golf course is desirable for the staff and patients of the dental facility.
7. 44<sup>th</sup> Street Sidewalk – no sidewalk presently exists on the south side of 44<sup>th</sup> Street from 8<sup>th</sup> Avenue to Chicago Drive. Virtually the entire frontage is already developed and it seems very unlikely that the sidewalk would ever be constructed. Additionally, a bike path already exists on the north side that would allow pedestrians to walk to the development and it encourages them to cross at a controlled intersection (8<sup>th</sup> Ave. and 44<sup>th</sup> St.). For those reasons, a sidewalk along 44<sup>th</sup> Street is not warranted. Although shown on the plan, the applicant will be seeking a waiver from the Township Board for the required sidewalk.
8. Signage Waivers – The proposed signs at the 44<sup>th</sup> Street and 8<sup>th</sup> Avenue entrances are shown 62' off of centerline (75' required per sign ordinance). The sign at the NE corner of the development is intended to be a focal point and the size requested is 100 square feet (50 sq. ft. max per sign ordinance). All three signs are shown as 5' high, ground mounted signs (4' max per sign ordinance). A waiver is also being requested to allow for placement of wall signs on the sides and backs of buildings in addition to fronts. These waivers are consistent with the 2006 approved PUD plan.

Summary of Changes to Final PUD – Dr. Lee  
Revised 1/6/15

- Sidewalk along 44<sup>th</sup> Street added with qualifying note that a waiver from the Township Board will be requested.
- Sidewalk has been extended to the west property line as shown on the plan.
- The portion of the green area designated as part of open space for the overall PUD is indicated on the plan.
- Building dimensions are shown on the site utility and dimension plan (sheet 1 of 2).
- A detention basin has been added based on initial review comments received from the Ottawa County Water Resources Commission.
- A dimension from the centerline of 44<sup>th</sup> Street to the proposed sign has been added.
- Contours are shown on the Site Grading and Soil Erosion Control Plan (sheet 2 of 2)

Summary of Changes to Overall Preliminary PUD Plan  
Revised 1/6/2015

- Legal description has been added.
- Sidewalk has been added along 44<sup>th</sup> Street with qualifying note that a waiver will be requested from the Township Board (see waiver request #6 at the end of the narrative for rationale).
- Sidewalk connections from 8<sup>th</sup> Avenue walk to the site have been added as shown. In addition, a walk has been extended from the proposed dental office site to the west as shown on the plan.
- The areas designated as open space have been revised with the actual areas illustrated on the small scale plan in the upper right hand corner of the overall preliminary PUD plan.
- The addresses of the parcels have been noted on the plan.
- Proposed setback dimensions have been added to the plan.
- Right of way and pavement widths have been added.
- A detention basin has been added to the plan based on initial review comments received from the Ottawa County Water Resources Commission.
- The tentative phasing has been revised.